

07 CV 3966
 (MANx), CLOSED, DISCOVERY, RELATED-G, TRANSFERRED

U.S. District Court
CENTRAL DISTRICT OF CALIFORNIA (Western Division - Los Angeles)
CIVIL DOCKET FOR CASE #: 2:07-cv-01793-DDP-MAN

Innofone.com Incorporated v. Cogent Capital Financial,
LLC et al

Assigned to: Judge Dean D. Pregerson
Referred to: Magistrate Judge Margaret A. Nagle
Demand: \$25,000,000

Lead case: 2:06-cv-06344-MAN

Member case:

2:07-cv-01793-DDP-MAN

Cause: 15:78m(a) Securities Exchange Act

Date Filed: 03/19/2007
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

DOC #

APR 22 2007
U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
RECEIVED
CLERK'S OFFICE

Plaintiff

Innofone.com Incorporated
a Nevada Corporation

represented by **Gidon M Caine**
Jones Day
555 California Avenue, Suite 2600
San Francisco, CA 94104
415-626-3939
Email: gcaine@jonesday.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jessica L Repa
Jones Day
555 California Avenue, Suite 2600
San Francisco, CA 94104
US
415-626-3939
Email: jlrepa@jonesday.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Roderick A McLeod
Jones Day
555 California Street, 26th Floor
San Francisco, CA 94104
415-626-3939
Email: rmcleod@jonesday.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Thomas Ailbe Rector
Jones Day
555 California Street, 26th Floor
San Francisco, CA 94104

I hereby attest and certify on 5/14/07
that the foregoing document is a full, true
and correct copy of the original on file in
my office, and in my legal custody.

CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
Gene Farmer
DEPUTY CLERK



415-626-3939
Email: tarector@jonesday.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Cogent Capital Financial, LLC
a Delaware Limited Liability Company

represented by **Joel C Haims**
Morrison and Foerster
1290 Avenue of the Americas
New York, NY 10104-0185
US
212-468-8000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mark R McDonald
Morrison & Foerster
555 W 5th St, Ste 3500
Los Angeles, CA 90013-1024
213-892-5200
Email: mmcdonald@mofo.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mitchell M Wong
Morisson and Foerster
1290 Avenue of the Americas
New York, NY 10104-0185
US
212-468-8063
Email: mwong@mofo.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Selia M Acevedo
Morrison and Foerster
555 West Fifth Street
Los Angeles, CA 90013-1024
213-892-5200
Email: seliaacevedo@mofo.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Cogent Capital Investment, LLC
a Delaware Limited Liability Company

represented by **Joel C Haims**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mark R McDonald
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mitchell M Wong
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Selia M Acevedo
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Cogent Capital Group, LLC
a Delaware Limited Liability Company

represented by **Joel C Haims**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mark R McDonald
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mitchell M Wong
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Selia M Acevedo
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Gregory L Kofford
an individual

represented by **Joel C Haims**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mark R McDonald
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mitchell M Wong
(See above for address)

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Selia M Acevedo
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Mark W Holden
an individual

represented by **Joel C Haims**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mark R McDonald
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mitchell M Wong
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Selia M Acevedo
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Investors Bank & Trust Company
a Massachusetts Trust Company

represented by **Marjorie Sommer Cooke**
Cooke Clancy & Gruenthal
150 Federal St
Boston, MA 02110
617-428-6800
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/19/2007	●	FAX number for Attorney Gidon M Caine, Roderick A McLeod, Thomas Ailbe Rector, Jessica L Repa is 415-875-5700. (bb,) (Entered: 03/26/2007)
03/19/2007	●1	Notice of Interested Parties filed by Plaintiff Innofone.com Incorporated. (bb,) (Entered: 03/26/2007)
03/19/2007	●2	COMPLAINT against defendants Gregory L Kofford, Mark W Holden, Investors Bank & Trust Company, Cogent Capital Financial, LLC, Cogent Capital Investment, LLC, Cogent Capital Group, LLC.(Filing fee

		\$ 350)Fee Paid., filed by plaintiff Innofone.com Incorporated.(bb,) (Entered: 03/26/2007)
03/19/2007	● 2	20 day Summons Issued re Complaint - (Discovery), Complaint - (Discovery)[2] as to Gregory L Kofford, Mark W Holden, Investors Bank & Trust Company, Cogent Capital Financial, LLC, Cogent Capital Investment, LLC, Cogent Capital Group, LLC. (bb,) (Entered: 03/26/2007)
03/19/2007	● 4	NOTICE of Related Case(s) filed by Plaintiff Innofone.com Incorporated. Related Case(s): CV 06-6344 ABC (MANx) (rn,) (Entered: 03/29/2007)
03/21/2007	● 3	MINUTE ORDER (IN CHAMBERS) held before Judge Dean D. Pregerson: This action has been assigned to the calendar of Judge Dean D Pregerson. Counsel are encouraged to review the Central District's website for additional information. The address is "http://www.cacd.uscourts.gov". It is not necessary to clear a motion date with the Court Clerk prior to filing the motion. The Court hears motions only on Mondays at 10:00 am. Court Reporter: none present. (klg,) (Entered: 03/28/2007)
03/29/2007	●	PREPARED ORDER RE TRANSFER Pursuant to General Order 224 (Related Case) by Clerk; related to CV 06-6344 MAN. (rn,) (Entered: 03/29/2007)
04/04/2007	● 5	PROOF OF SERVICE Executed by Plaintiff Innofone.com Incorporated, upon Investors Bank and Trust Company served on 3/27/2007, answer due 4/16/2007. The Summons and Complaint were served by Personal service, by State statute, upon Althea Santolucito, Receptionist, Authorized to Accept Service of Process. Due Diligence declaration NOT attached. Original Summons NOT returned. (jp) (Entered: 04/09/2007)
04/10/2007	● 7	APPLICATION of Joel C. Haims for Leave to Appear Pro Hac Vice filed by defendant Cogent Capital Financial, LLC. Lodged proposed order. (bp,) (Entered: 04/12/2007)
04/10/2007	● 8	APPLICATION of Mitchell M. Wong for Leave to Appear Pro Hac Vice filed by defendant Cogent Capital Financial, LLC. Lodged proposed order. (bp,) (Entered: 04/12/2007)
04/11/2007	● 6	ORDER RE TRANSFER PURSUANT TO GENERAL ORDER 224 - Related Case- filed. Related Case No: CV 06-6344 MAN. Case referred from Magistrate Judge Fernando M. Olguin to Magistrate Judge Margaret A. Nagle for Discovery. The case number will now read as follows: CV 07-1793 DDP (MANx). Signed by Judge Margaret A. Nagle.(rn,) (Entered: 04/11/2007)
04/11/2007	●	Cases associated with Lead Case CV 06-6344 MAN (rn,) (Entered: 04/11/2007)
04/11/2007	● 10	PROOF OF SERVICE filed by Defendants Mark W Holden, Cogent

		Capital Financial, LLC, Cogent Capital Investment, LLC, Cogent Capital Group, LLC, re APPLICATION of Joel C. Haims for Leave to Appear Pro Hac Vice [7], APPLICATION of Mitchell M. Wong for Leave to Appear Pro Hac Vice [8], was served on 4/10/07. (et) (Entered: 05/06/2007)
04/18/2007	•13	ORDER by Judge Dean D. Pregerson : Granting [8] Application to Appear Pro Hac Vice by Attorney Mitchell M. Wong on behalf of Cogent Capital Financial LLC, designating Mark R. McDonald as local counsel. (ca) (Entered: 05/10/2007)
04/18/2007	•14	ORDER by Judge Dean D. Pregerson : granting [7] Application to Appear Pro Hac Vice by Attorney Joel C. Haims on behalf of Cogent Capital Financial LLC, designating Mark R. McDonald as local counsel. (ca) (Entered: 05/10/2007)
04/18/2007	•15	JOINT STIPULATION AND ORDER Re Briefing Schedule on Defendant's Motion to Dismiss by Judge Dean D. Pregerson : The Cogent Defendants shall answer or otherwise respond to the complaint on or before 4/24/07. If the Cogent Defendants move, they shall serve their motions on or before 4/24/07. Inofone shall serve its oppositions to the Cogent Defendants Motions on or before 5/7/07(yI,) (Entered: 05/11/2007)
04/24/2007	•9	CERTIFICATION as to Interested Parties filed by Defendants Gregory L Kofford, Mark W Holden, Cogent Capital Financial, LLC, Cogent Capital Investment, LLC, Cogent Capital Group, LLC. (pcl,) (Entered: 04/28/2007)
04/24/2007	•16	NOTICE OF MOTION AND MOTION to Dismiss Plaintiffs complaint filed by Defendants Gregory L Kofford, Mark W Holden, Cogent Capital Financial, LLC, Cogent Capital Investment, LLC, Cogent Capital Group, LLC. Motion set for hearing on 5/21/2007 at 10:00 AM before Judge Dean D. Pregerson. (ir,) (Entered: 05/14/2007)
04/24/2007	•17	DECLARATION of Mark R McDonald in support of their Motion to Dismiss Plaintiffs complaint [16] filed by Defendants Gregory L Kofford, Mark W Holden, Cogent Capital Financial, LLC, Cogent Capital Investment, LLC, Cogent Capital Group, LLC. (ir,) (Entered: 05/14/2007)
05/03/2007	•11	ANSWER to Complaint [2] filed by Defendant Investors Bank & Trust Company.(ir,) (Entered: 05/09/2007)
05/03/2007	•12	CERTIFICATION as to Interested Parties filed by Defendant Investors Bank & Trust Company. (ir,) (Entered: 05/09/2007)
05/10/2007	•18	PROOF OF SERVICE filed by Defendants Gregory L Kofford, Cogent Capital Financial, LLC, Cogent Capital Investment, LLC, Cogent Capital Group, LLC of Stipulation and Order regarding Scheduling of Motion to dismiss and motion for summary judgment was served on 5/10/07. (ir,) (Entered: 05/14/2007)

05/11/2007	•19	ORDER by Judge Dean D. Pregerson transferring case to USDC for the Southern District of New York. Original file, certified copy of the transfer order, docket sheet and Letter of Transfer sent. (MD JS-6. Case Terminated.)(ir,) (Entered: 05/14/2007)
05/14/2007	•	TRANSMITTAL of documents: All Original document except Order of Transfer which is retained, cc copy of Order, docket sheet and letter of transfer. (ir,) (Entered: 05/14/2007)